IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

WP(C).No. 3262 of 2007(L)

PETITIONER:

B.PRASAD, H.C.1 3277,
KULATHOOPUZHA POLICE STATION,
KOLLAM DISTRICT, KERALA.

BY ADV. MRS.P.K.RADHIKA

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
ADDL.CHIEF SECRETARY TO GOVERNMENT,
HOME DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR GENERAL OF POLICE,
POLICE HEADQUARTERS, THIRUVANANTHAPURAM.

3. SUPERINTENDENT OF POLICE, KOLLAM.

4. SUPERINTENDENT OF POLICE,
PATHANAMTHITTA.

BY GOVT. PLEADER MR. BIJOY CHANDRAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C) No. 3262 OF 2007 L
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Dated this the 31st January, 2007

J U D G M E N T

The petitioner is working as Head Constable in the Police Department. It appears that he is aggrieved by the seniority assigned to him as also the delay in considering him for promotion to the next higher post. Going by the averments in the writ petition, the petitioner is eligible to be promoted to the next higher post if the seniority assigned to him is refixed as contended by him. A series of representations appear to have been filed by the petitioner right from 1990 onwards. Ext. P4 representation was filed before the 1st respondent on 3-7-2002 and thereafter Ext. P2 representation before the 3rd respondent on 5-1-2005. It appears that the petitioner was not favoured with a reply to any of those representations.

2. If the facts stated by the petitioner in the writ petition are correct, there is justification for him to approach this Court seeking direction to the respondents to consider his request for refixation of seniority and to promote him to the higher post.

2. Heard counsel for the petitioner and Govt. Pleader for the respondents.

3. Since Ext. P4 is pending with the Government, it will be just and proper that that respondent is directed to pass orders as early as possible. The writ petition is accordingly disposed of directing the 1st respondent to consider Ext. P4 with reference to relevant records, pass orders in accordance with law and inform the petitioner the result of such consideration as expeditiously as possible, in any event, within two months from the date of receipt of a copy of the judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 1st respondent for due compliance.

K.K. DENESAN
JUDGE

jan/